

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:12cv397**

RINEHART RACING, INC.,)	
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
S&S CYCLE, INC.)	
)	
Defendant.)	
)	

Pending before the Court is the Motion to Reconsider [# 34]. Defendant moves pursuant to Rule 54(b) for the Court to reconsider its prior Order granting Plaintiff leave to serve a rebuttal expert report. The Court **DIRECTS** the parties as follows:

- (1) The Court **VACATES** its October 25, 2013, Order granting the Motion for Extension of time.
- (2) Plaintiff may file a renewed motion seeking leave to amend the Court's Pretrial Order and allow it obtain a rebuttal expert by November 14, 2013. Such a motion should comply with the Local Rules. Defendant shall have seven (7) days from the filing of such a motion to file a response. Plaintiff shall have four (4) days to file a reply. Upon the submission of Plaintiff's renewed motion,

the Court will issue an Order determining whether it will allow Plaintiff to obtain a rebuttal expert.

(3) The Court **DENIES as moot** the Motion to Reconsider [# 34].

Signed: November 6, 2013

Dennis L. Howell
Dennis L. Howell
United States Magistrate Judge

